



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**  
**REGION 10**  
1200 Sixth Avenue  
Seattle, WA 98101

December 28, 2015

Reply To  
Attn Of: OWW-193

Ms. Tiffany Waters  
Puget Sound Recovery Projects Coordinator  
Northwest Indian Fisheries Commission  
6730 Martin Way East  
Olympia, WA 98516

Re: Northwest Indian Fisheries Commission Puget Sound Protection, PA-00J91201, Advanced Post Award Monitoring

Dear ~~Ms. Waters:~~ *Tiffany*

On December 11, 2015, I conducted a phone conference programmatic review with you as part of post-award monitoring for your EPA assistance agreement, "Northwest Indian Fisheries Commission Puget Sound Protection," award number PA-00J91201. I appreciate the time and effort you took in preparing for our discussion. It is EPA's hope that post award monitoring will assist the Northwest Indian Fisheries Commission (Commission or NWIFC) in effectively managing its assistance agreement and in continuing to coordinate with EPA throughout the implementation of this award.

**Purpose of Review**

The purpose of our discussion was to complete a routine EPA "Advanced Post Award Monitoring" (APAM) interview. We reviewed the list of standard questions I e-mailed to you on December 8, 2015.

**Brief Description of Award and Previous Recommendations**

The purpose of Cooperative Agreement PA-00J91201 is for the Commission to provide sub-awards to 19 federally-recognized Indian tribes located within the greater Puget Sound basin, and authorized consortia of these tribes. These subawards implement projects of high tribal priority that are identified in or consistent with the Puget Sound Action Agenda. The key workplan components are (1) program development and launch; (2) award cycle; and (3) program management.

This Cooperative Agreement was awarded on 9/11/2014. No previous APAM reviews have been conducted so no previous APAM recommendations exist.

### **Status**

The work being performed under this Cooperative Agreement continues a subaward program begun under a separate Cooperative Agreement to the Commission (PA-00J32201). As of the date of the APAM interview, the subaward portion of the current budget has just begun to be spent down by subrecipients.

Based on the information received during our discussion, as well as the notes you provided during our discussion (attached, with some of my additional notes from our discussion), satisfactory progress has been made and the Financial and Ecosystem Accounting Tracking System (FEATS) reports are submitted in a timely fashion.

There are several minor items of follow-up based on our discussion. These relate to (see attached notes for more detail):

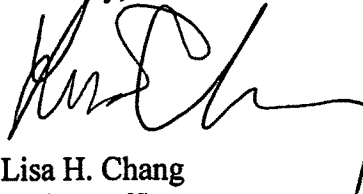
- You and I should have a follow-up discussion on the status of the FY14 Swinomish contract and what may be needed to proceed with contracting that proposal, if appropriate
- I will check to see if there is any further follow-up or measures needed following the disruption of EPA's single-audit database
- I will check on whether there is any additional training (e.g., health and safety) that would be helpful or required, in relation to the APAM question of "are the recipient's staff and facilities appropriate to handle the work under the agreement"
- I will pursue removal of the redundant STORET T&C (T&C #11)

### **I recommend we aim to complete these minor items by 1/31/16.**

Other than these minor items, I recommend you continue to work on remaining tasks so the project can be successfully completed by the project end date of September 30, 2019.

Again, thank you for your time that you took to prepare for our discussion. If you would like to discuss this review, please contact me at (206) 553-0226 or at [chang.lisa@epa.gov](mailto:chang.lisa@epa.gov).

Sincerely,



Lisa H. Chang  
Project Officer

cc: Nora Chan-Chau  
JoAnne Brendle  
Yvette Downs

**Northwest Indian Fisheries Commission Puget Sound Protection  
PA-00J91201  
Advanced Post Award Monitoring**

**Program Synopsis:** Address all of the areas that apply to the agreement. If "No" then provide an explanation.

<b>Program Synopsis</b>	<b>Yes</b>	<b>No</b>	<b>N/A</b>
Is payment history consistent with progress to date?	Yes		
Is the work under the agreement on schedule?	Yes		
Is the actual work being performed within the scope of the recipient's work plan?	Yes		
Are the recipient's staff and facilities appropriate to handle the work under the agreement?	Yes		
Are the products/progress reports submitted on time?	Yes		
Are the products/progress reports acceptable?	Yes		
Is the recipient making adequate progress in achieving outcomes and outputs and associated milestones in the assistance agreement workplan?	Yes		
If the recipient is experiencing significant problems meeting agreed-upon outcomes and outputs, has the recipient been required to develop and implement a corrective action plan?			N/A
Has the recipient complied with the programmatic terms and conditions on the award?	Yes		
Did the recipient purchase equipment/property as planned in the agreement?		No	
Has the equipment been used as planned in the agreement?			N/A
Does this review indicate any need to amend the award?		No, a request for no-cost extension of time was approved 12/11/15	
If this award includes sub-awards, is the recipient complying with the sub-award policy requirements?	Yes		

## **FY14-15 Advance Post Award Monitoring Review**

### **Notes prepared by recipient for 12-11-15 APAM interview**

Sent via e-mail from Tiffany Waters, NWIFC, to Lisa Chang, EPA

- **Is payment history consistent with progress to date?**

The NWIFC staff admin (salaries, fringe, travel, supplies indirect, etc.) has just recently switched over to the new FY14/15 award as of 10.1.15. We've been continuing to expend the administrative (non-subaward) portion of the previous award as we had cost savings within the limited scope audits portion of the budget. We built that budget based on the previous procedures we had in place for the PCSRF subaward program where we would conduct limited scope audits on a rotating basis. We implemented a shift in our procedures between 2011 and 2012 wherein we started conducting limited scope audits on a risk evaluation basis, including information on whether our programs were audited as major within the tribe's most recently completed single audit. As a result of this, we are now conducting fewer limited scope audits.

The subaward expenditures have recently begun for the FY14/Round 5 awards, with Jamestown, Muckleshoot, Port Gamble, and Upper Skagit making the most progress on their awards to date.

- **Is the work under the agreement on schedule?**

The vast majority of the work under the agreement is on schedule. There are three subrecipient proposals for FY14/Round 5 that have not yet been contracted.

- The Snoqualmie proposal experienced delays due to the implementation of the riparian buffer term and condition and ensuring that their project, which originally asked for an exception from the term and condition, was properly vetted by EPA and NWIFC. A portion of the delays with this proposal were due to needing to pause the review in order to determine the definitions of and associated buffer requirements for a Class II versus a Class IV channel. NWIFC has recently provided Snoqualmie the most recent review comments and Snoqualmie has provided NWIFC a revised proposal.
- The Swinomish proposal has experienced delays as EPA and Swinomish are discussing EPA concerns regarding their ongoing non-point source pollution Public Information and Education project. The Commission is currently holding the FY14 proposal. [Project Officer Note: NWIFC has not contracted the FY14 proposal because they are waiting for discussions between Swinomish and EPA on the work under this project to resolve. The tribe is spending FY12/13 funds now on the What's Upstream website. The FY14 proposal was to fund a portion of the website development and billboards. FY12/13 was website and strategy.]
- The Makah proposal has experienced delays as the NWIFC has been choosing not to contract new proposals with Makah until they make progress on previous fiscal year contracts. Lack of progress on previous fiscal years is partly due to Makah experiencing staff turnover, which is common in their area due to the remote location of the reservation. NWIFC has been working with Makah (via phone, email, and site visits) to concentrate on managing earlier fiscal years prior to contracting

FY14 or FY15 proposals. [Project Officer note: FY13 has not been contracted but it is ready to be contracted. Makah is working with the Lower Elwha Klallam Tribe on the Pysht portion of the project. NWIFC's focus has been on supporting Makah's progress on FY10-13 because those funds would be expiring first].

The FY15 proposals are progressing well: 9 proposals have been contracted, 8 proposals being revised by the tribe to address reviewer comments, 1 proposal is being reviewed by the NWIFC but will be sent on to the tribe next week to address reviewer comments, and 3 proposals are out for review with the EPA and PSP. Hoping to have everything contracted by beginning of February.

- **Is the actual work being performed within the scope of the recipient's work plan?**

Yes, the work of managing the subaward program, including the review and approval of subrecipient workplans and the monitoring of subrecipient progress, is occurring on a daily basis. Single audit clearinghouse has been down since this summer. [Project Officer note: Recipient indicates EPA system was taken down by EPA due to security issues, with the result that recipient has had to ask each subawardee for single audits that were conducted during the 6/30 time period. NWIFC has been waiting for clearinghouse to go back up for the 9/30 time period. EPA PO sent a note 12/28/15 to the Grants Specialist and other lead organization Project Officers to learn more about this issue.]

- **Are the recipient's staff and facilities appropriate to handle the work under the agreement?**

Yes, the staff members that we have charged to this award are competent to manage a pass-through subaward program and are committed to continuing education to ensure compliance. The Puget Sound Recovery Projects Coordinator and her supervisor, the Salmon Recovery Projects Coordinator, both recently received a certification in Grants Management – Pass-Through Track from Management Concepts. [Project Officer Note: Will check with Grants Specialist and other Lead Organization Project Officers if there is any additional training (e.g., health and safety) that would be helpful, or may be required, of recipient for the work under the agreement. Project Officer sent a note on 12/28/15 to GS and other LO POs on this question.]

- **Are the products/progress reports submitted on time?**

Progress reports for this award have been submitted for all three reporting deadlines of 10.30.14, 4.30.15, and 10.30.15. There would have been no approved deliverables under this award yet.

- **Are the products/progress reports acceptable?**

All communication from the EPA project officer has indicated that these reports are acceptable.

- **Has the recipient complied with the programmatic terms and conditions on the award?**

Yes.

- Electronic and Information Technology: For any individual with a disability, we would provide and equal and effective opportunity to benefit and participate in this program.
- Environmental Measurement Data: The NWIFC has a current QMP on file, which demonstrates competency to generate environmental measurement data.
- Sufficient Progress: As demonstrated by our progress as reported in FEATS, we have made good progress on subawarding proposals and managing this award.
- Semi-annual Performance Reports: Progress reports for this award have been submitted for all three reporting deadlines of 10.30.14, 4.30.15, and 10.30.15.
- Final Performance Report: We will provide a final report 90 days after the expiration of this award.
- Program Income – Addition: We have no program income for this award. If we did generate income, we would add these funds to our award to further carry out project objectives.
- Information Collection Requirements: If collecting identical information from 10 or more persons, we would obtain approval from EPA first.
- Recognition of EPA Funding: For any reports, documents, etc. that the NWIFC or subaward tribes develop under this program, recognition of EPA funding will be provided.
- Copyrighted Material: If there is copyrighted material that we need to use, we will follow this term and condition.
- EPA's Substantial Involvement: EPA has informed NWIFC that they have triggered and interpreted this t&c as also applying to subaward deliverables. The EPA is in communication with and providing Swinomish suggested changes on their deliverables. [Project Officer Note: The specific "substantial involvement" discussion here pertains to the earlier NWIFC LO award (PA-00J32201)]
- Information Technology: We communicate to all subrecipients that all water quality data is required to be uploaded to STORET.
- Quality Assurance Requirements: NWIFC has a QMP on file and requires that all subrecipients who are collecting environmental data submit QAPPs to the EPA QA office for review and approval prior to the collection of data.
- STORET Requirement: We communicate to all subrecipients that all water quality data is required to be uploaded to STORET. [Project Officer note: STORET T&C #11 is old and should be removed; T&C #13 is the correct T&C and should remain. PO sent note on 12/28/15 to Grants Specialist asking for procedure to remove #11.]
- tersrian Buffers: We work with all applicable subrecipients to ensure that minimum riparian buffers are implemented on agricultural lands.

- **Did the recipient purchase equipment as planned in the agreement?**

N/A. No equipment has been purchased under this agreement.

- **Has the equipment been used as planned in the agreement?**

N/A. No equipment has been purchased under this agreement.

- **Is the recipient making adequate progress in achieving outcomes and outputs and associated milestones in the assistance agreement work plan?**

See above.

- **If the recipient is experiencing significant problems meeting agreed-upon outcomes and outputs, has the recipient been required to develop and implement a corrective action plan?**

We are not experiencing significant problems meeting agreed-upon outcomes and outputs.